

HOUSE BILL NO. 570

INTRODUCED BY C. KAUFMANN

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT A STATE EMPLOYEE WHO REGULARLY WORKS EITHER AN ALTERNATIVE SCHEDULE OR MORE THAN 8 HOURS A DAY RECEIVES PAY FOR HOLIDAYS WORKED ON A PRORATED BASIS ACCORDING TO THE NUMBER OF HOURS THE EMPLOYEE IS REGULARLY SCHEDULED TO WORK; AMENDING SECTION 2-18-603, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 2-18-603, MCA, is amended to read:

"2-18-603. Holidays -- observance when falling on employee's day off -- pay calculation. (1) (a)

A full-time employee who is scheduled for a day off on a day that is observed as a legal holiday, except Sundays, is entitled to receive a day off with pay either on the day preceding the holiday or on another day following the holiday in the same pay period or as scheduled by the employee and the employee's supervisor, whichever allows a day off in addition to the employee's regularly scheduled days off, provided the employee is in a pay status on the employee's last regularly scheduled working day immediately before the holiday or on the employee's first regularly scheduled working day immediately after the holiday.

(b) Part-time employees receive pay for the holiday on a prorated basis according to rules adopted by the department of administration or appropriate administrative officer under 2-18-604.

(c) A full-time state employee who regularly works either an alternative schedule or more than 8 hours a day receives pay for the holiday on a prorated basis according to the number of hours the employee is regularly scheduled to work and pursuant to rules adopted by the department of administration or appropriate administrative officer under 2-18-604.

~~(e)~~(d) A short-term worker may not receive holiday pay.

(2) For purposes of this section, the term "employee" does not include nonteaching school district employees."

NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2005.

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